

THE
MASSACRE
OF
GLENCO.
BEING A

True Narrative

OF THE

Barbarous Murther of the *GLENCO-MEN*,
in the Highlands of *Scotland*, by way of
Military Execution, on the 13th of *Feb.* 1692.

CONTAINING

The Commission under the Great Seal of *Scotland*, for
making an Enquiry into that Horrid Murther: The
Proceedings of the Parliament of *Scotland* upon it: The
Report of the Commissioners upon the Enquiry, laid
before the King and Parliament. And the Address of
the Parliament to King *WILLIAM* for Justice upon
the Murderers.

Faithfully extracted from the Records of Parliament.

And publish'd for undeceiving those who have been
impos'd upon by false ACCOUNTS.

The Second Edition.

L O N D O N,

Printed, and Sold by B. Bragg, at the *Blue-Ball* in
Ave-Mary-Lane, 1704.

THE UNIVERSITY OF CHICAGO

Ministry of Education
in the Highlands of Scotland, by way of
Bathory, in the Highlands of Scotland, by way of
Bathory, in the Highlands of Scotland, by way of



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MEMO

S I R,

IN Answer to yours of the first of October, I herewith send you from the Records of our Parliament, a true and authentick Account of the Massacre of Glenco, as you righteously call it. I wish this Matter could have been forgotten to Eternity; but since you say it is altogether needful for the Vindication of the Justice of our Country, against many false slanderous Accounts that are daily given of that Business in England, I am willing you print what I now send you; and that you may be furnish'd to answer all Objections against the Truth of this Narrative, you may inform any English Man of Quality, that is willing to be satisfied in the Matter, that the Report of the Commission, the Address of our Parliament herewith sent you, and the Duplicates of the Lord Stair's Letters, are, or were at least in the Scots Secretaries Office at London: Or, if they should happen to be withdrawn from thence, they may inform themselves fully in the Truth of this from Mr. Johnston, who was at that time Secretary of State for Scotland; and had particular Directions from the late Queen Mary to push on this Enquiry, and search into the Bottom of that horrid Murder; for Her Majesty was grieved at the Heart, that the Reputation of the King Her Husband should have suffer'd so much by that Affair. I would not, however, that Mr. Johnston should know any thing of your Design to publish this; for, tho' you know as well as I, that his Diligence to serve and obey the Queen in this Matter, was always judg'd here to be one of the chief Causes of our Nations losing that able and honest Minister; yet he is so Nice in Point of Honour, that he chus'd rather to be unjust to himself, and to lie under Imputations, than to give any part of those Papers to

be publish'd, tho' frequently urg'd to it, because he said it would be undecent in him, that had once been his Majesty's Secretary, to do any such thing. Therefore, tho' you are carefully to conceal this Matter from him till it be publish'd, yet as soon as it is, I must pray you, if you think it proper, to go and tell him, that I beg his Pardon for making this Appeal to him, without his Leave : And tho' I may suffer in his good Opinion by what I have done, yet if this Publication may any ways oblige him to do Himself, his late Master, and his Country further Justice, by telling what he knows more of the Matter, I shall be the easier under his Displeasure. I had almost forgot to Notice, That the Duke of Athol, the Lord Chancellor, and Marquis of Annandale, all now at London, were Members of the Commission, who made the inclosed Report ; and howsoever scrupulous they may have been in Point of Honour, to communicate any Papers relating to this Matter, they cannot in Honour but own that this History is Authentick, if any of the English Nobility think fit to enquire at them about it ; but you must be careful to let none of them know any thing of your Design to publish it, or which way you have this Information ; tho' if they should come to know it, I chuse rather to incur their Displeasure, by appealing to them, than to omit any thing that lies in my Power, to vindicate the Honour and Justice of our Country.

Edinburgh,
Nov. 1. 1703.

*Commission for Trial of the Slaughter
committed at Glenco, upon the 13th
Day of February, 1692.*

Gulielmus Dei Gr. Mag. Brit. &c. Omnibus pro-
bis hominibus, ad quos præsentēs Literæ nostræ
pervenerint, salutem. Quandoquidem nos con-
siderantes, quod etiam si nos, Anno Dom. 1693.
per expressam Instructionem, potestatem concessimus de-
mortuo Gulielmo Duci de Hamilton, aliisque, pro exami-
nando & inquirendo de cæde quorundam Cognominis
de Macdonald aliorumque de Glenco, An. Dom. 1692,
& de modo & de methodo Commissionis ejusdem, Nihi-
lominus Inquisitio quæ tunc facta erat in prosecutione di-
ctæ Instructionis defectiva erat, nosque etiam perpenden-
tes, quod Methodus Maxime efficax pro plena Informa-
tione accipienda de veris Circumstantiis Rei antedictæ, erit
Commissio in hunc effectum, cumque Nobis abunde satis-
factum sit de facultatibus & aptitudine personarum Infra
nominatarum in fines supra expressos; Sciatis igitur nos No-
minasse & Constituisse tenoreque presentium nominare &
constituere fidelissimos & dilectissimos Nostros Consan-
guineos & Consiliarios, Joannem Marchionem de Twed-
dale supremum Nostrium Cancellarium, & Guliel. Comit.
d' Annandale & fideles & dilectos Nostros Consiliarios Jo-
annem Dominum Murray, Dom. Jacobum Stuart, Advo-
catum Nostrium, Adamum Cockburn de Ormiston nostrum
Justitiarium Clericum, Magistrum Archib. Hope de Ran-
keiller & Dom. Guliel. Hamilton de Whitelaw Senatores
Nostri Collegii Justitiæ, Dom. Jacob. Ogilvy Sollicitato-
rem

rem Nostrum & Adamum Drummond de Meggins (quorum quinque Numerus erit legitimus ac cum potestate iis Clericum suum eligendi) Commissionarios Nostros pro capienda precognitione & Inquisitionem faciendo de Cade prædicta, per quos & quomodo, & per quam Coloratam Authoritatem Commissa erat, atque in ordine ad detectionem ejusdem cum potestate dictis Commissionariis, requirendi omnia Warranta seu directiones quæ eatenus concessa fuere, atque etiam examinandi omnes personas, quæ in re antedicta Negotium habuere atque etiam Testes prout Necessarium Invenietur, sive per eorum Juramenta, sive Declarationes, & tunc postea dicti Commissionarii Nobis transmittent Verum statum rei antedictæ una cum Probationibus & Testimoniis coram ipsis adducendis, uti post debitam & plenam Informationem, necessarias Directiones, eatenus Concedamus prout Nobis Congruum videbitur. In cujus Rei Testimonium, presentibus, Magnum sigillum Nostrum appendi Mandavimus apud Aulam Nostram de Kensington, Vigesimo Nono die Mensis Aprilis, Anno Domini Milleesimo Sexcentesimo Nonagesimo quinto, Annoque Regni Nostri Septimo.

Per Signaturam Manu, S. D. N. Regis Suprascriptam.

Written to the Great Seal and Reg. May 20. 1695.

Don. Rannald, Deput.

Sealed at Edinburgh, May 20. 1695.

Jo. Dickfone.

In English thus:

William by the Grace of God, King of Great Britain, &c. To all good Men to whom these Presents shall come, Greeting. Whereas we have taken into Consideration, that tho' in the Year of our Lord 1693, We gave Power by exprefs Instructions, to William Duke of Hamilton, deceased, and others, to Examine and Enquire into the Slaughter of certain People of the Name of Macdonald and others in Glenco, in the Year 1692, and into the Way and Manner how the same was committed; yet, neverthels, the Inquiry then made, pursuant to the said Instructions, was defective; and considering likewise, that the most effectual Method for receiving full Information of the true Circumstances of the Matter aforesaid, must be by a Commission to that Effect; and being very well satisfied of the Abilities and Fitness of the Persons under-nam'd, for the Ends above express'd, Know ye therefore that We have nam'd and constituted, and by the Tenor of these Presents do name and constitute, our Right trusty and well beloved Cousin and Councillor, John Marquis of Tweddale, our High Chancellor, and William Earl of Anandale, and our trusty and beloved Councillors John Lord Murray, Sir James Stuart our Advocote, Adam Cockburn of Ormiston our Justice Clerk, Mr. Archbald Hope of Rankeiller, and Sir William Hamilton of Whitelaw, Senators of our College of Justice, Sir James Ogilvy our Solicitor, and Adam Drummond of Meggins (of whom five shall be a Quorum and granting them Power to chuse their own Clerk) our Commissioners, to take Precognition and make Inquiry into the Slaughter aforesaid, by whom, and how, and by what Colour of Authority, the same was committed: And in order to the discovery of the same, We give Power to the said Commissioners to send for all Warrants and Directions, granted for that End; and also to examine all Persons, that had any hand in the Business aforesaid, and likewise

wise to examine Witnesses as shall be found necessary, either upon Oath or Declaration, and afterwards the said Commissioners shall transmit to us, the true State of the Matter aforesaid, together with the Proofs and Evidence that shall be brought before them, that after due and full Information, We may give such Directions thereupon, as to us shall seem meet and necessary. In Testimony whereof, we have commanded Our Great Seal to be appended to these Presents.

Given at our Court of Kensington, the 29th Day of April 1695, and of our Reign the Seventh.

Superscrib'd by the Signature of the Hand-writing of our most Serene Lord the KING.

Written to the Great Seal, and Registered the 20th Day of May, 1695.

Don. Rannald, Deput.

Sealed at Edinburgh, May 20. 1695.

Jo. Dickfone.

UPon the 23 of May, 1695, this Commission was read in Parliament, and the House voted *Nemine Contradicente*, That his Majesty's High Commissioner transmit the humble Thanks of the Parliament to his Majesty, for ordering an Enquiry into that Matter, whereby the Honour and Justice of the Nation might be vindicated.

It being urg'd that the Commission should proceed with Diligence, as being a National Concern, and that the Discovery be made known to the House before its Adjournment. His Grace assur'd them, that he doubted not of his Majesty's giving Satisfaction to his Parliament in that Point, and that before they parted.

The Commissioners proceeded according to Order, and made the following Report.

Report

Report of the Commission given by His Majesty, for enquiring into the Slaughter of the Men of GLENCO, subscrib'd at Halvud-House the 20th Day of June, 1693.

JOHN Marquis of Tweeddale, Lord High Chancellor of Scotland, William Earl of Annandail, John Lord Murray, Sir James Stuart his Majesty's Advocate, Adam Cockburn of Ormiston Lord Justice Clerk, Sir Archbald Hope of Rankeilore, and Sir William Hamilton of Whitlaw, two of the Senators of the College of Justice, Sir James Ogilvy his Majesty's Solicitor, and Adam Drummond of Megginsh, Commissioners appointed by his Majesty, by his Commission under the great Seal of the Date the 29th of April last, to make Enquiry and to take Trial and Precognition about the Slaughter of several Persons of the Surname of Macdonald and others in Glenco, in the Year 1692, by whom and in what manner, and by what pretended Authority the same was committed, with Power to call for all Warrants and Directions given in that Matter; as also to examine all Persons who had a hand therein, with what Witnesses they should find necessary either upon Oath or Declaration, and to report to his Majesty the true State of the said Matter, with the Evidence and Testimonies to be adduc'd before them, as the said Commission more amply bears; Having met and qualified themselves by taking the Oath of Allegiance and Assurance, conform to the Act of Parliament, with the Oath *de Fideli*, as use is in such Cases, did, according to the Power givento them, chuse Mr. Alexander Monro of Beircroft to be their Clerk, and he having also qualified himself as above, they proceeded into the said Enquiry, to call for all Warrants and Directions, with all such Persons as Witnesses, that might give Light in the said Matter; and having consider'd the foresaid Warrants and Directions produc'd before them, and taken the Oaths and Depositions of the Witnesses under-nam'd, they

B

with

with all submission lay the Report of the whole Discovery made by them before his Majesty in the order following. And *First*, of some things that preceeded the said Slaughter. *Secondly*, Of the Matter of Fact, with the Proofs and Evidence taken, when and in what manner the same was committed. *Thirdly*, Of the Warrants and Directions that either really were, or were pretended for the committing it. And, *Lastly*, the Commissioners humble Opinion of the true State and Account of that whole Business.

The Things to be remark'd preceding the said Slaughter were, That it's certain that the Lairds of *Glenco* and *Auchinriaten*, and their Followers were in the Insurrection and Rebellion made by some of the Highland Clans, under the command first of the Viscount of *Dundee*, and then of Major General *Buchan* in the Years 1689 and 1690. This is acknowledg'd by all. But when the Earl of *Braidalbine*, called the Heads of the Clans and met with them in *Auchallader* in July 1691, in order to a Cessation, the deceased *Alexander Macdonald* of *Glenco* was there with *Glengary*, *Sir John Maclene* and others, and agreed to the Cessation, as it is also acknowledg'd. But the deceased *Glenco's* two Sons, who were at that time with their Father in the Town of *Auchallader*, depone that they heard that the Earl of *Braidalbin* did at that time quarrel with the deceased *Glenco*, about some Cows, that the Earl alledg'd were stolen from his Men, by *Glenco's* Men; and that tho' they were not present to hear the Words, yet their Father told them of the Challenge, and the two Sons with *Ronald Macdonald*, Indweller in *Glenco*, and *Ronald Macdonald* in *Innerriggin* in *Glenco* do all depone, That they heard the deceased *Glenco* say, that the Earl of *Braidalbin* at the meeting of *Auchallader*, threaten'd to do him a mischief, and that he fear'd a mischief from no Man so much as from the Earl of *Braidalbin*, as their Depositions at the Letter A, in the Margin bears. And *Alexander Macdonald*, 2d Son to the deceased *Glenco*, doth further depone, That he hath often heard from his Father and others, that there had been in former times Blood betwixt *Braidalbin's* Family and their Clan, as his Deposition at the same Mark bears. And here the Commissioners cannot but take notice of what hath occur'd to them in two Letters from Secretary *Stair*, to Lieutenant Colonel *Hamilton*, one of the 1st, and another of the 3d of *December*, 1691, wherein he expresses his Resentment, For the marring of the Bargain, that should have been betwixt the Earl of *Braidalbin* and the Highlanders, to a very great high, charging some for

' for their despite against him, as if it had been the only hindrance
 ' of that Settlement: Whence he goes on in his of the 3d of De-
 ' cemb. to say, That since the Government cannot oblige them, it
 ' is oblig'd to ruine some of them to weaken and frighten the rest,
 ' and that the *Macdonald's* will fall in this Net. And, in effect,
 seems even from that time, which was almost a Month before
 the expiring of the King's Indemnity, to project with Lieutenant-
 Colonel *Hamilton*, that some of them should be rooted out and
 destroy'd. His Majesty's Proclamation of Indemnity was pub-
 lish'd in Aug. 1691, offering a free Indemnity and Pardon to all
 the Highlanders who had been in Arms, upon their coming in and
 taking the Oath of Allegiance, betwixt and the first of *January*
 thereafter: And in compliance with the Proclamation, the de-
 ceas'd *Glenco* goes about the end of *Decemb.* 1691 to Colonel
Hill, Governour of *Fort-William* at *Inverlochie*, and desir'd the
 Colonel to minister to him the Oath of Allegiance, that he might
 have the King's Indemnity: But Colonel *Hill* in his Deposition,
 mark'd with the Letter B. doth farther depone, That he hasten'd
 him away all he could, and gave him a Letter to *Ardkinlas* to re-
 ceive him as a lost Sheep, and the Colonel produces *Ardkinlas's*
 Answer to that Letter, dated the 9th of *January* 1691, bearing,
 ' That he had endeavoured to receive the great lost Sheep *Glenco*,
 ' and that *Glenco* had undertaken to bring in all his Friends and
 ' Followers, as the Privy-Council should order, and *Ardkinlas* far-
 ' ther writes, that he was sending to *Edinburgh* that *Glenco*, tho'
 ' he had mistaken in coming to Colonel *Hill*, to take the Oath of
 ' Allegiance, might yet be welcome, and that thereafter the Colo-
 ' nel should take care that *Glenco's* Friends and Followers may not
 ' suffer, till the Kings and Councils Pleasure be known, as the said
 Letter mark'd on the back with the Letter B. bears, and *Glenco's*
 two Sons above-nam'd do depone in the same manner, That their
 Father went about the end of *December* to Colonel *Hill* to take
 the Oath of Allegiance, but finding his mistake, and getting the
 Colonel's Letter to *Ardkinlas*, he hasten'd to *Inverary* as soon as
 he could for the bad Way and Weather, and did not so much as
 go to his own House in his way to *Inverary*, tho' he past within
 half a Mile of it, as both their Depositions at the Letter B bears,
 and *John Mac-Donald* the eldest Son, depones farther at the same
 mark, That his Father was taken in his way by Captain *Drumond*
 at *Barkaldin*, and detain'd 24 Hours.

Sir Colin Campbel, of Ardkinlas, Sherif-Deput of Argyle, depones, That the Deceas'd Glenco came to Inverary about the beginning of January 1692, with a Letter from Colonel Hill to the effect above-mentioned, and was three Days there before Ardkinlas could get thither, because of bad Weather; and that Glenco said to him, That he had not come sooner, because he was hindered by the Storm; and Ardkinlas farther depones, That when he declin'd to give the Oath of Allegiance to Glenco, because the last of December, the time appointed for the taking of it was past, Glenco begg'd with Tears that he might be admitted to take it, and promis'd to bring in all his People within a short time to do the like, and if any of them refused, they should be imprisoned or sent to Flanders: Upon which Ardkinlas says, He did administer to him the Oath of Allegiance upon the 6th of January 1692, and sent a Certificate thereof to Edinburgh, with Col. Hill's Letter, to Colin Campbel, Sherif Clerk of Argyle, who was then at Edinburgh, and further wrote to the said Colin that he should write back to him, whether Glenco's taking of the Oath was allow'd by the Council or not, as Ardkinlas's Deposition at the Letter B testifies, and the said Colin, Sherif Clerk, depones, That the foresaid Letters, and the Certificate relating to Glenco, with some other Certificates relating to some other Persons, all upon one Paper, were sent in to him to Edinburgh by Ardkinlas; which Paper being produc'd upon Oath by Sir Gilbert Elliot, Clerk of the Secret Council, but roll'd and scor'd, as to Glenco's Part, and his taking the Oath of Allegiance, yet the Commissioners found that it was not so delete or dashed, but that it may be read, that Glenco did take the Oath of Allegiance at Inverary the 6th Day of January 1692, and the said Colin Campbel depones, That it came to his hand fairly written, and not dash'd, and that with this Certificate he had the said Letter from Ardkinlas (with Colonel Hill's above-mentioned Letter to Ardkinlas inclosed) bearing how earnest Glenco was to take the Oath of Allegiance, and that he had taken it upon the 6th of January, but that Ardkinlas was doubtful if that the Council would receive it, and the Sherif Clerk did produce before the Commissioners, the foresaid Letter by Colonel Hill to Ardkinlas, dated at Fort William the 31st Day of Decemb. 1691, and bearing that Glenco had been with him, but slipp'd some cays out of Ignorance, yet that it was good to bring in a lost Sheep at any time, and would be an Advantage to render the King's Government easie, and with the said Sherif Clerk, the Lord Aberuchil,

Mr.

Mr. *John Campbel*, Writer to the Signet, and Sir *Gilbert Elliot*, Clerk to the Council, do all declare that *Glenco's* taking the Oath of Allegiance, with *Ardkinlas* his foresaid Certificate, as to his Part of it, did come to *Edinburgh*, and was seen by them fairly written, and not scor'd or dash'd; but that Sir *Gilbert* and the other Clerk of the Council refused to take it in, because done after the Day appointed by the Proclamation. Whereupon the said *Colin Campbel*, and Mr. *John Campbel*, went, as they depone, to the Lord *Aberuchil*, then a Privy-Councillor, and desir'd him to take the Advice of Privy-Councillors about it, and accordingly they affirm that *Aberuchil* said he had spoke to several Privy-Councillors, and particularly to the Lord *Stairs*; and that it was their Opinion that the foresaid Certificate could not be receiv'd without a Warrant from the King, and that it would neither be safe to *Ardkinlas*, nor profitable to *Glenco*, to give in the Certificate to the Clerk of the Council; and this the Lord *Aberuchil* confirms by his Deposition, but doth not name therein the Lord *Stair*; and *Colin Campbel*, the Sheriff-Clerk, does farther depone, That with the Knowledge of the Lord *Aberuchil*, Mr. *John Campbel*, and Mr. *David Moncrief*, Clerk to the Council, he did by himself, or his Servant, score or delete the foresaid Certificate, as now it stands scor'd, as to *Glenco's* taking the Oath of Allegiance, and that he gave it in so scor'd or obliterated to the said Mr. *David Moncrief*, Clerk of the Council, who took it in as it is now produc'd; But it doth not appear by all these Depositions, that the Matter was brought to the Council Board, that the Councils Pleasure might be known upon it, tho' it seems to have been intended by *Ardkinlas*, who both writ himself and sent Colonel *Hill's* Letter for to make *Glenco's* Excuse, and desir'd expressly to know the Councils Pleasure.

After that *Glenco* had taken the Oath of Allegiance as is said, he went home to his own House, and as his own two Sons above nam'd depone, He not only liv'd there for some Days quietly and securely, but call'd his People together, and told them he had taken the Oath of Allegiance, and made his Peace, and therefore desir'd and engag'd them to live peaceably under King *William's* Government, as the Depositions of the said two Sons, who were present, mark'd with the Letter E bears.

These things having preceeded the Slaughter, which happen'd not to be committed until the 13th of February 1692, six Weeks after the deceas'd *Glenco* had taken the Oath of Allegiance at

Inverary. The Slaughter of the *Glenco* Men was in this manner, viz. *John* and *Alexander Mac-Donalds*, Sons to the deceas'd *Glenco*, depone, That *Glengary's* House being reduc'd, the Forces were call'd back to the South, and *Glenlyon*, a Captain of the Earl of *Argyle's* Regiment, with Lieutenant *Lindsay* and Ensign *Lindsay*, and six score Soldiers, return'd to *Glenco* about the first of *February* 1692, where, at their Entry, the elder Brother *John* met them with about 20 Men, and demanded the reason of their coming, and Lieutenant *Lindsay* shew'd him his Orders for quartering there under Colonel *Hill's* Hand, and gave assurance that they were only come to Quarter; whereupon they were billeted in the Country, and had free Quarters and kind Entertainment, living familiarly with the People until the 13th Day of *February* and *Alexander* farther depones, That *Glenlyon* being his Wife's Uncle came almost every Day and took his Morning Drink at his House, and that the very Night before the Slaughter, *Glenlyon* did play at Cards in his own Quarters with both the Brothers, and *John* depones, That old *Glenco* his Father had invited *Glenlyon*, Lieutenant *Lindsay*, and Ensign *Lindsay*, to dine with him upon the very day the Slaughter happen'd. But on the 13th day of *February*, being Saturday, about four or five in the Morning, Lieutenant *Lindsay*, with a Party of the foresaid Soldiers, came to old *Glenco's* House, where, having call'd in a Friendly manner, and got in, they shot his Father dead with several Shots as he was rising out of his Bed; and their Mother having got up and put on her Clothes, the Soldiers stripp'd her naked and drew the Rings off her Fingers with their Teeth; as likewise they kill'd one Man more and wounded another grievously at the same place: And this Relation they say they had from their Mother, and is confirm'd by the Deposition of *Archbald Mackdonald*, Indweller in *Glenco*, who farther depones that *Glenco* was shot behind his Back with two Shots, one through the Head and another through the Body, and two more were kill'd with him in that place, and a third wounded and left for dead: And this he knows, because he came that same day to *Glenco's* House, and saw his dead Body lying before the Door, with the other two that were kill'd, and spoke with the third that was wounded, whose Name was *Duncan Don*, who came there occasionally with Letters from the *Brae of Mar*.

The said *John Mackdonald*, eldest Son to the deceased *Glenco* depones, the same Morning that his Father was kill'd there came Soldiers to his House before day, and call'd at his Window, which gave him the Alarm, and made him go to *Innerriggen*, where *Glenlyon* was quarter'd, and that he found *Glenlyon* and his Men preparing their Arms, which made the Deponent ask the Cause; but *Glenlyon* gave him only good Words, and said they were to march against some of *Glengaries* Men, and if there were ill intended, would not he have told *Sandy* and his Neice? meaning the Deponents Brother and his Wife; which made the Deponent go home and go again to his Bed, until his Servant, who hindred him to sleep, rais'd him; and when he rose and went out, he perceiv'd about 20 Men coming towards his House, with their Bayonets fix'd to their Muskets; whereupon he fled to the Hill, and having *Auchnaion*, a little Village in *Glenco*, in view, he heard the Shots wherewith *Auchinriaten* and four more were kill'd; and that he heard also the Shots at *Innerriggen*, where *Glenlyon* had caus'd to kill nine more, as shall be hereafter declar'd; and this is confirm'd by the concurring Deposition of *Alexander Mackdonald* his Brother, whom a Servant wak'd out of sleep, saying, It is no time for you to be sleeping, when they are killing your Brother at the Door; which made *Alexander* to flee with his Brother to the Hill, where both of 'em heard the foresaid Shots at *Auchnaion* and *Innerriggen*: And the said *John*, *Alexander* and *Archibald Mackdonald*'s do all depone, That the same Morning there was one Serjeant *Barber* with a Party at *Auchnaion*, and that *Auchinriaten* being there in his Brother's House with 8 more sitting about the Fire, the Soldiers discharg'd upon them about 18 Shot, which kill'd *Auchinriaten* and four more; but the other four, whereof some were wounded, falling down as dead, Serjeant *Barber* laid hold on *Auchinriaten*'s Brother, one of the four, and as'd him if he were alive? He answer'd, That he was, and that he desir'd to die without, rather than within: *Barber* said, That for his Meat that he had eaten, he would do him the Favour to kill him without; but when the Man was brought out, and Soldiers brought up to shoot him, he having his Plaid loose, flung it over their Faces and so escap'd; and the other three broke through the back of the House and escap'd: And this Account the Deponents had from the Men that escap'd. And at *Innerriggen*, where *Glenlyon* was quartered, the Soldiers took other nine Men and did bind them Hand and Foot, and kill'd them.

them one by one with Shot ; and when *Glenlyon* inclin'd to save a young Man of about 20 Years of Age, one Captain *Drummond* came and ask'd how he came to be sav'd, in respect of the Orders that were given, and shot him dead ; and another young Boy of about 13 Years ran to *Glenlyon* to be sav'd, he was likewise shot dead ; and in the same Town there was a Woman and a Boy about four or five Years of Age kill'd ; and at *Auchnaion* there was also a Child missed, and nothing found of him but the Hand. There were likewise several killed at other Places, whereof one was an old Man about 80 Years of Age: And all this the Deponents say they affirm, because they heard the Shot, saw the dead Bodies, and had an Account from the Women that were left. And *Ronald Mackdonald*, Indweller in *Glenco*, farther depones, That he being living with his Father in a little Town in *Glenco*, some of *Glenlyon's* Soldiers came to his Father's House, the said 13th Day of *February* in the Morning, and dragg'd his Father out of his Bed and knock'd him down for dead at the Door ; which the Deponent seeing, made his Escape, and his Father recovering, after the Soldiers were gone, got into another House ; but this House was shortly burnt, and his Father burnt in it ; and the Deponent came there after and gather'd his Father's Bones and buried them. He also declares, That at *Auchnaion*, where *Auchintriaten* was killed, he saw the Body of *Auchintriaten* and three more cast out and cover'd with Dung: And another Witness of the same, declares, That upon the same 13th of *February*, *Glenlyon* and Lieutenant *Lindsay*, and their Soldiers, did in the Morning before Day, fall upon the People of *Glenco* when they were secure in their Beds and kill'd them, and he being at *Innerriggen* fled with the first, but heard Shots and had two Brothers killed there, with three Men more and a Woman, who were all buried before he came back. And all these five Witnesses concur, That the foresaid Slaughter was made by *Glenlyon* and his Soldiers, after they had been quarter'd, and liv'd peaceably and friendly with the *Glenco-Men* about 13 days, and that the Number of those whom they knew to be slain were about 25, and that the Soldiers after the Slaughter, did burn the Houses, Barns and Goods, and carried away a great Spoil of Horse, Nolt and Sheep, above 1000. And *James Campbell*, Soldier in the Castle of *Stirling*, depones, That in *January 1692*, he being then a Soldier in *Glenlyon's* Company march'd with the Company from *Inverlochie* to *Glenco*, where the Company was quarter'd, and very kindly entertained

tain'd for the space of 14 days: That he knew nothing of the Design of killing the *Glenco Men* till the Morning that the Slaughter was committed, at which time *Glenlyon* and Captain *Drummond's* Companies were drawn out in several Parties, and got Orders from *Glenlyon* and their other Officers to shoot and kill all the Country-men they met with; and that the Deponent being one of the Party which was at the Town where *Glenlyon* had his Quarters, did see several Men drawn out of their Beds, and particularly he did see *Glenlyon's* own Landlord shot by his Order, and a young Boy of about twelve Years of Age, who endeavour'd to save himself by taking hold of *Glenlyon*, offering to go any where with him if he would spare his Life, and was shot dead by Captain *Drummond's* Order; and the Deponent did see about eight Persons kill'd, and several Houses burnt, and Women flying to the Hills to save their Lives. And lastly, Sir *Colin Campbel* of *Aberuchil* depones, That after the Slaughter, *Glenlyon* told him that *Macdonald* of *Innerriggin* was kill'd with the rest of the *Glenco-men*, with Colonel *Hill's* Pass or Protection in his Pocket, which a Soldier brought and shew'd to *Glenlyon*.

The Testimonies above set down being more than sufficient to prove a Deed so notoriously known, it is only to be remark'd, that more Witnesses of the Actors themselves might have been found, if *Glenlyon* and his Soldiers were not at present in *Flanders* with *Argile's* Regiment; and it's farther added, that Lieutenant Colonel *Hamilton*, who seems by the Orders and Letters that shall be hereafter set down, to have had the particular Charge of this Execution, did march the Night before the Slaughter, with about 400 Men, but the Weather falling to be very bad and severe, they were forc'd to stay by the way, and did not get to *Glenco* against the next Morning, as had been concerted betwixt Major *Duncaison* and Lieutenant Colonel *Hamilton*; so that their Measures being broke, Lieutenant Colonel *Hamilton* and his Men came not to *Glenco* till about eleven of the Clock after the Slaughter had been committed, which proved the Preservation and Safety of the Tribe of *Glenco*, since by this means the far greater part of them escaped; and then the Lieutenant Colonel being come to *Cannellochleven* appointed several Parties for several Posts with Orders that they should take no Prisoners, but kill all the Men that came in their Way. Thereafter some of the Lieutenant Colonels Men, march'd forward in the *Glen*, and met with Major *Duncaison's* Party, whereof a Part under *Glenlyon* had been sent

by Lieutenant Colonel *Hamilton*, to quarter there some days before, and these Men told how they had kill'd *Glenco* and about 36 of his Men that Morning, and that there remain'd nothing to be done by the Lieutenant-Colonel and his Men, save that they burnt some Houses, and kill'd an old Man by the Lieutenant Colonel's Orders, and brought away the Spoil of the Country; and this in its several Parts is testified by *John Forbes*, Major in Colonel *Hill's* Regiment, *Francis Farquhar* and *Gilbert Kennedy*, both Lieutenants in that Regiment, who were all of the Lieutenant-Colonel's Party, as their Depositions more fully bear.

It may be also here noticed, that some days after the Slaughter of the *Glenco-men* was over, there came a Person from — *Campbell* of *Balealden*, Chamberlain, (i. e. Steward) to the Earl of *Braidalbin*, to the deceased *Glenco's* Sons, and offered to them, if they would declare under their Hands, that the Earl of *Braidalbin* was free and clear of the said Slaughter, they might be assur'd of the Earl's Kindness for procuring their Remission and Restitution, as was plainly depon'd before the Commissioners.

It remains now to give an Account of the Warrants, either given, or pretended to be given, for the committing of the foresaid Slaughter, for clearing whereof it is to be notic'd, that the King having been pleas'd to offer by Proclamation an Indemnity to all the Highland Rebels, who should come in and accept thereof by taking the Oath of Allegiance, betwixt and the 1st of *January* 1692, after the day was elaps'd, it was very proper to give Instructions how such of the Rebels as had refus'd his Majesty's Grace should be treated, and therefore his Majesty, by his Instructions of the Date of the 11th of *January* 1692, directed to *Sir Tho. Livingston*, and supersign'd and countersign'd by himself, did indeed order and authorize *Sir Tho.* 'To march the Troops against the Rebels, who had not taken the benefit of the Indemnity, and to destroy them by Fire and Sword; (which is the actual stile of our Commissions against intercommuned Rebels) but with this express mitigation in the fourth Article, viz. 'That the Rebels may not think themselves desperate, we allow you to give Terms and Quarters, but in this manner only, that Chieftains and Heritors, or Leaders, be Prisoners of War, their Lives only safe, and all other things in mercy; they taking the Oath of Allegiance: And the Community taking the Oath of Allegiance, and rendring their Arms, and submitting to the Government, are to have Quarters and Indemnity for their Lives and

and Fortunes, and to be protected from the Soldiers, as the principal Paper of Instructions produced by Sir *Thomas Livingston* bears.

After these Instructions, there were additional ones given by his Majesty to Sir *Tho. Livingston* upon the 16th of the said Month of *January*, supersign'd and countersign'd by his Majesty, and the Date mark'd by Secretary *Stair's* Hand, which bear Orders, ' For giving of Passes, and for receiving the Submission of certain ' of the Rebels, wherein all to be notic'd to the present purpose is, ' That therein his Majesty doth judge it much better ' that these who took not the benefit of the Indemnity in due ' time, should be oblig'd to render upon Mercy, they still taking ' the Oath of Allegiance, and then it's added, if *Mackean* of ' *Glenco* and that Tribe can be well separated from the rest, it ' will be a proper Vindication of the publick Justice to extirpate ' that Sect of Thieves: And of these additional Instructions, a principal Duplicat was sent to Sir *Tho. Livingston*, and another to Colonel *Hill*, and were both produc'd; and these were all the Instructions given by the King in this Matter.

But Secretary *Stairs*, who sent down these Instructions, as his Letters, produc'd written with his Hand to Sir *Tho.* of the same Date with them testifie, by a preivous Letter of the Date of the 7th of the said Month of *January*, written and subscrib'd by him to Sir *Tho.* says, ' You know in general that these Troops posted at *Inverness* and *Inverlochie* will be ordered to take in the ' House of *Innergarie*, and to destroy entirely the Country of *Lochaber*, *Locheals* Lands, *Kippochs*, *Glengaries* and *Glenco*, and ' then adds, *I assure you your Power shall be full enough, and I hope the Soldiers will not trouble the Government with Prisoners*; and by another Letter of the 9th of the said Month of *January*, which is likewise before the Instructions and written to Sir *Tho.* as the former, he hath this Expression, ' That these, ' who remain of the Rebels, are not able to oppose, and their ' Chiftains being all Papists, *It is well the Vengeance falls there*, ' for my part I could have wish'd the *Mackdonalds* had not divided, and I am sorry, *That Kippoch and Mackean of Glenco are safe*; and then afterwards, we have an Account, That ' *Locheal, Macnaughton, Appin and Glenco* took the benefit of ' the Indemnity at *Inverary*, and *Kippoch*, and others at *Inverness*: But this Letter of the 11th of *January* sent with the first Instructions to Sir *Tho.* hath this Expression, ' *I have no great*

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Kindness

Kindness to Kippoch nor Glenco, and it's well that People are in mercy, and then just now my Lord *Argyle* tells me, That *Glenco* hath not taken the Oath; at which I rejoyce. It is a great Work of Charity to be exact in rooting out that damnable Sect, the worst of the Highlands. But in his Letter of the 16th of *January* of the same date with the additional Instructions, tho' he writes in the first part of the Letter, 'The King does not at all incline to receive any after the Diet, but on Mercy; yet he thereafter adds, but for a just Example of Vengeance, I intreat the thieving Tribe of *Glenco* may be rooted out to purpose. And to confirm this by his Letter of the same date, sent with the other principal Duplicate, and additional Instructions to Col. *Hill*; after having written, that such as render on Mercy might be sav'd; he adds, 'I shall intreat you that for a just Vengeance and publick Example, the Tribe of *Glenco* may be rooted out to purpose. The Earls of *Argyle* and *Braidalbin* have promised that they shall have no retreat in their Bounds, the Passes to *Ronoch* would be secur'd, and the hazard certified to the Laird of *Weems* to reset them, in that case *Argyle's* Detachment, with a Party that may be posted in *Island Stalker*, must cut them off, and the People of *Appin* are none of the best.

This last Letter with the Instructions for Colonel *Hill*, was received by Major *Forbes* in his Name at *Edinburgh*; and the Major depones, That by the Allowance he had from the Colonel, he did unseal the Packquet, and found therein the Letter and Instructions as above, which he sent forward to Colonel *Hill*, and that in the beginning of *February 1692*, being in his way to *Fort-William*, he met some Companies of *Argyle's* Regiment at *Bellisheil's*, and was surpriz'd to understand that they were going to quarter in *Glenco*, but said nothing till he came to *Fort William*, where Colonel *Hill* told him, that Lieutenant-Colonel *Hamilton* had got Orders about the Affair of *Glenco*, and that therefore the Colonel had left it to Lieutenant-Colonel *Hamilton's* Management, who, he apprehends, had concerted the Matter with Major *Duncaison*; and Colonel *Hill* depones, That he understood that Lieutenant-Colonel *Hamilton* and Major *Duncaison* got the Orders about the *Glenco-men*, which were sent to Lieutenant-Colonel *Hamilton*; that for himself he lik'd not the Business, but was very grieved at it; that the King's Instructions of the 16th of *January 1692*, with the Master of *Stair's* Letters of

of the same Date, were brought to him by Major Forbes, who had received them, and unseal'd the Packquet at *Edinburgh*, as these two Depositions do bear.

Yet the Execution and Slaughter of the *Glenco-men* did not immediately take effect, and thereafter on the 30th of the said Month of *January*, the Master of *Stairs* doth again write two Letters, one to Sir *Tho. Livingston*, which bears, ' I am glad that *Glenco* did not come in within the time prefix'd; I hope what is done there may be in earnest, since the rest are not in a Condition to draw together help; I think to *harry*; (that is to drive) their Cattle, and burn their Houses, is but to render them desperate lawless Men to rob their Neighbours, but I believe you will be satisfied it were a great Advantage to the Nation, That *thieving Tribe* were rooted out, and cut off; it must be quietly done, otherwise they will make shift for both their Men and their Cattle, *Argyle's* Detachment lies in *Letrickweel* to assist the *Garison* to do all of a sudden. And the other to Colonel *Hill*, which bears, ' Pray when the thing concerning *Glenco* is resolv'd, let it be secret and sudden, otherwise the Men will shift you, and better not meddle with them than not to do it to purpose, to cut off that Nest of Robbers, who have fallen in the Mercy of the Law now when there's Force and Opportunity, whereby the King's Justice will be as conspicuous and useful as his Clemency to others. I apprehend the Storm is so great, that for some time you can do little, but so soon as possible I know you will be at work, for these false People will do nothing but as they see you in a Condition to do with them.

Sir *Tho. Livingston* having got the King's Instructions, with Secretary *Stair's* Letter of the 16th of *January*, and knowing by a Letter he had from the Master of *Stair* of the Date of the 7th of *January* 1692, that Lieutenant-Colonel *Hamilton* was to be the Man imploy'd in the Execution of the *Glenco* Men, in pursuance of the Secretary's Letter, he writes to Lieutenant Col. *Hamilton* upon the 23d of the said Month of *January*, telling him, ' That it was judg'd good News that *Glenco* had not taken the Oath of Allegiance within the time prefix'd, and that Secretary *Stair* in his last Letter had made mention of him, and then adds, For, Sir, here is a fair occasion for you, to shew that your *Garison* serves for some use, and seeing that the Orders are so positive from Court to me, not to spare any of them that have not timely come in, as you may see by the Orders I send to your
Colo.

‘ Colonel, I desire you would begin with *Glenco*, and spare nothing
 ‘ which belongs to him; but do not trouble the Government with
 ‘ Prisoners: As this Letter produc’d by Lieutenant Colonel *Hamilton* bears.

And Sir *Thomas* being heard upon this Letter, declar’d that at that time he was immediately return’d from his Journey to *London*, and that he knew nothing of any Soldiers being quarter’d in *Glenco*, and only meant that he should be prosecuted as a Rebel standing out, by fair Hostility: And in this Sense he made use of the same words and Orders written to him by Secretary *Stair*. Thereafter Colonel *Hill* gives his Order to be directed to Lieutenant Colonel *Hamilton*, in these Terms: ‘ S I R, You are with
 ‘ 400 of my Regiment, and the 400 of my Lord *Argyle*’s Regiment, under the Command of Major *Duncaison*, to march straight
 ‘ to *Glenco*, and there put in due Execution, the Orders you have
 ‘ received from the Commander in Chief. Given under my
 Hand at Fort-William, the 12th Day of February, 1692. And this Order is also produced by Lieutenant-Colonel *Hamilton*.

Then the same Day Lieutenant-Colonel *Hamilton* wrote to Major *Duncaison* in these Terms: ‘ S I R, Pursuant to the Commander in Chief and my Colonel’s Orders to me, for putting
 ‘ in Execution the Service against the Rebels of *Glenco*, wherein
 ‘ you with a Party of *Argyle*’s Regiment, now under your Command, are to be concern’d, you are therefore to order your Affairs so that you be at the several Posts assign’d you by seven
 ‘ of the Clock to morrow Morning being *Saturday*, and fall in
 ‘ Action with them; at which time I will endeavour to be with
 ‘ the Party from this Place at the Post appointed them. It will
 ‘ be necessary that the Avenues minded by Lieutenant *Campbel* on
 ‘ the South side be secured; that the old Fox nor none of his
 ‘ Cubbs get away; the Orders are, that none be spar’d, nor the
 ‘ Government troubled with Prisoners. And the Copy of this last Order is produc’d under Lieutenant-Colonel *Hamilton*’s own Hand, and accordingly the Slaughter of *Glenco*, and his poor People did ensue the next Morning, being the 13th of February 1692, in the manner narrated.

And upon the whole Matter, it is the Opinion of the Commission. First, That it was a great wrong that *Glenco*’s Case and Diligence, as to his taking the Oath of Allegiance, with *Ardkinlas*’s Certificate of his taking the Oath of Allegiance on the 6th of *January* 1692, and Col. *Hill*’s Letter to *Ardkinlas*, and
Ardkinlas’s

Ardkinlas's Letter to Colin Campbel, Sheriff-Clerk, for clearing Glenco's Diligence and Innocence, were not presented to the Lords of his Majesty's Privy-Council, when they were sent into Edinburgh in the said Month of January, and that those who advis'd the not presenting thereof were in the wrong, and seem to have had a malicious Design against Glenco; and that it was a farther wrong that the Certificate, as to Glenco's taking the Oath of Allegiance, was delete and obliterate after it came to Edinburgh; and that being so obliterate, it should neither have been presented to, or taken in by the Clerk of the Council, without an expresse Warrant from the Council. Secondly, That it appears to have been known at London, and particularly to the Master of Stair, in the Month of January 1692, that Glenco had taken the Oath of Allegiance, tho' after the Day prefix'd; for he saith in his Letter of the 30th of January to Sir Ibo. Levingston, as is above remark'd, I am glad that Glenco came not in within the time prescrib'd. Thirdly, That there was nothing in the King's Instructions to warrant the committing of the foresaid Slaughter, even as to the thing it self, and far less as to the manner of it, seeing all his Instructions do plainly import, that the most obstinate of the Rebels might be receiv'd into Mercy, upon taking the Oath of Allegiance, tho' the Day was long before elaps'd, and that he ordered nothing concerning Glenco and his Tribe, ' But that if they could be well separated from the rest, it would ' be a proper Vindication of the publick Justice to extirpate that ' Sect of Thieves. Which plainly intimates, that it was his Majesty's Mind that they could not be separated from the rest of these Rebels, unless they still refus'd his Mercy by continuing in Arms and refusing the Allegiance; and that even in that Case they were only to be proceeded against in the way of Publick Justice, and no other way. Fourthly, That Secretary Stair's Letters, especially that of the 11th of January 1692, in which he rejoyces to hear that Glenco had not taken the Oath; and that of the 16th of January, of the same Date with the King's additional Instructions, and that of the 30th of the same Month, were no ways warranted by, but quite exceeded the King's foresaid Instructions, since the said Letters without any insinuation of any Method to be taken that might well separate the Glenco Men from the rest, did, in place of prescribing a Vindication of Publick Justice, order them to be cut off and rooted out in earnest, and to purpose, and that suddenly, and secretly, and quietly, and all on

a sudden, which are the exprefs Terms of the faid Letters; and comparing them and the other Letters with what enfued, appear to have been the only Warrant and Cause of their Slaughter, which in effect was a barbarous Murder, perpetrated by the Persons depon'd againſt: And this is yet farther confirm'd by two more of his Letters, written to Colonel *Hill*, after the Slaughter committed, *viz.* one on the 5th of *March* 1692, wherein, after having ſaid, ' That there was much Talk at *London*, that the *Glenco* Men were murder'd in their Beds, after they had taken the ' Allegiance; he continues, for the laſt I know nothing of it; ' I am ſure neither you, nor any Body impower'd to treat or give ' Indemnity, did give *Glenco* the Oath; and to take it from any ' Body elſe, after the Diet elaps'd, did import nothing at all; ' all that I regrave is, that any of the ſort got away, and there is ' a neceſſity to proſecute them to the utmoſt. And another from the *Hague*, the laſt of *April* 1692, wherein he ſays, ' For the ' People of *Glenco*, when you do your Duty in a thing ſo neceſſary, to rid the Country of Thieving, you need not trouble ' your ſelf to take the Pains to vindicate your ſelf by ſhewing ' all your Orders, which are now put in the *Paris Gazette*. when ' you do right you need fear no Body; all that can be ſaid is, ' That in the Execution, it was neither ſo full nor ſo fair as ' might have been. And this their humble Opinion, the Commiſſioners, with all ſubmiſſion, return and lay before his Maſteſty, in diſcharge of the foreſaid Commiſſion.

Sic Subſcribitur, *Tweddale*, *Anandale*, (now Marquis of *Anandale*, and Preſident of the Privy-Council.) *Murray*, (now Duke of *Athol* and Lord Privy-Seal.) *James Stuart*, (her Maſteſty's Advocate.) *Adam Cockburn*, (late Lord Treasuſer Deputy.) *W. Hamilton*, (Lord *Whitelaw*, one of the Lords of the Seſſion.) *Ja. Ogilvie*, (now Earl of *Seafield* and Lord High Chancellor.) *A. Drummond*.

The Report being agreed on, and ſign'd by the Commiſſioners, ſeveral Members mov'd in Parliament on the 24th of *June*, that the ſaid Report ſhould be laid before the Houſe.

Upon which his Maſteſty's High Commiſſioner acquainted the Parliament, That the Report of the Commiſſion, for enquiring into the Buſineſs of *Glenco*, being ſent to his Maſteſty on Thursday laſt, he would lay the ſame before them with the Depoſitions of the Witneſſes, and other Documents relating thereto, for
their

their Satisfaction and full Information; and if they thought fit to make any other use of it, he made no doubt it would be with that deference and submission to his Majesty's Judgment that becometh so Loyal and Zealous a Parliament, in Vindication of the Justice and Honour of his Majesty's Government.

Then the Report from the Commission, for enquiring into the Slaughter of the *Glenco-men*, was read, with the Depositions of the Witnesses, the King's Instructions, and the Master of Stair's Letters for instructing the said Report.

After hearing the said Report, it was voted *Nemine Contradi-cente*, That his Majesty's Instructions of the 11th and 16th Days of *January* 1692, touching the Highland Rebels, who did not accept in due time of the Benefit of his Indemnity, did contain a Warrant for Mercy to all without exception, who should take the Oath of Allegiance and come in upon Mercy, tho' the first Day of *January* 1692, prefix'd by the Proclamation of Indemnity was passed, and that therefore these Instructions contain'd no Warrant for the Execution of the *Glenco-men*, made in *February* thereafter. Then the Question was stated and voted, if the Execution of the *Glenco-men*, in *February* 1692, as it is represented to the Parliament, be a Murder or not? And carried in the Affirmative.

Moved, That since the Parliament has found it a Murder, that it may be inquired into, who were the occasion of it, and the Persons guilty and committers of it, and in what way and manner they should be prosecuted. And after some Debate thereon, the Method of the said Prosecution was delayed, and resolved that this House will again take the same under Consideration first on *Monday* next: And the Master of Stair's Letters were ordered to be put in the Clerks Hands, and any Members of Parliament allowed an Inspection thereof.

June 26, 1695. The Inquiry into the Persons who were the occasion of the Slaughter of the *Glenco-men* was again proponed, and moved that before any further Procedure in that Affair, there may be an Address sent to his Majesty on what is already past: And after some Debate thereon, The Question stated, Proceed further in the Inquiry before addressing his Majesty, or address upon what is already past without any further Procedure? And carried, Proceed further before Address.

Thereafter the Question stated and voted, If they should first proceed to the Master of Stair's Letters, or the Actors of the

Murder of *Glenco-men*? And carried, First to consider the Master of *Stair's* Letters.

Then the Master of *Stair's* Letters, with the King's Instructions to Sir *Tbo. Livingston* and Col. *Hill*, and the 4th Article of the Opinion of the Commission relating to the Master of *Stair's* was read; and after some Debate, the Question was stated, *Whether the Master of Stair's Letters do exceed the King's Commission, towards the killing and destroying of the Glenco-men or not?* And carried in the Affirmative.

June 28, 1695. The President of Parliament represented, That there was a Print dispersed, intituled, *Information for the Master of Stair*, reflecting upon the Commission for inquiring into the Slaughter of the *Glenco-men*, and arraigning a Vote of Parliament: And therefore moved, That it may be inquired, who was the Author of it, and that both he and the said Print may be censured. Mr. *Hugh Dalrymple*, Brother to the Master of *Stair* and a Member of Parliament, acknowledged himself to be the Author, and gave an Account of his Mistakes, protesting that he therein intended no Reflection on the Commission, and that the Paper was written before the Vote past in Parliament, tho' printed and spread thereafter.

Resolved, That first the Author and then the Print be censured. And Mr. *Hugh* was ordered to ask his Grace and the Parliament pardon, which he did, again declaring that what was offensive in that Paper had happened through mistake.

Thereafter agreed that the said Print was false and calumnious. And the Question being stated, If the Print spread abroad amongst the Members of Parliament, intituled, *Information for the Master of Stair*, ought to be condemn'd as false and calumnious, and therefore burnt, or only that the Print should be so marked in the Minutes of Parliament; It carried, That the Print should be marked in the Minutes of Parliament to be false and calumnious.

Then the Parliament proceeded farther in the Inquiry of the Slaughter of the *Glenco-men*. And in the 1st place, as to the Orders given by Sir *T. Livingston* in of his 2 Letters directed to Col. *Lieut. Hamilton*: And the said Letters being read, after Debate thereon it was put to the Vote proceed or delay, and carried proceed.

The Question was stated, Whether Sir *Tbo. Livingston* had reason to give such Orders as were contained in these Letters or not, and was carried in the Affirmative, *Nemine Contradicente*.

July

July 8th, 1695. the Parliament having resumed the Inquiry into the Slaughter of the *Glenco-men*, and who were the Actors; and in the first place about Lieutenant-Col. *Hamilton*; and that part of the Report of the Commission relating to him; and the Orders he got, and the Orders he said he gave, with the Depositions taken before the said Commission; and after some debate thereon, the Question was stated and put to the Vote. If from what appears to the Parliament, Lieutenant-Colonel *Hamilton* be free from the Murder of the *Glenco-men*, and whether there be ground to prosecute him for the same or not; and carried, he was not clear, and that there was ground to prosecute him.

Then the Question was stated and voted as to Major *Duncan*son, at present in *Flanders*, If the King should be address'd, either to cause him to be examin'd there about the Orders he received, and his Knowledge of that Matter; or that he be ordered home to be prosecuted therefore, as his Majesty shall think fit, or not; and carried in the Affirmative.

Then that part of the Report of the Commission, as to *Glenlyon*, Capt. *Drummond*, Lieutenant or Adjutant *Lindsay*, Ensign *Lundy*, and Serjeant *Barber*, read with the Depositions of the Witnesses against them; and the Question stated and voted, If it appeared that the said Persons were the Actors of the Murder of the *Glenco-men* under Trust; and that his Majesty be address'd to send 'em home to be prosecuted for the same according to Law, or not; and carried in the Affirmative.

Thereafter they voted, If it should be remitted to the Committee for the Security of the Kingdom to draw their Address; or a new Committee elected for drawing thereof, and carried remit.

The Report from the Committee for security of the Kingdom in favours of the *Glenco-men*, read and remitted to the said Committee; that there be a particular Recommendation of the Petitioner's Case to his Majesty brought in by the said Committee.

July 10. 1695. the Address about the Slaughter of the *Glenco Men* to be sent to the K. read, with several of the Master of *Stair*'s Letters to Sir *Tho. Levingston* and Col. *Hill*; and after some Debate upon the Paragraph touching the Master of *Stair*: It was voted, approve the Paragraph as brought in from the Committee, or as offered with Amendments: It carried, approve as brought in from the Committee. Then the whole Address was put to the Vote, and approv'd as follows.

The Address of the Noble-men, Barons and Burroughs in Parliament, humbly presented to his most Sacred Majesty upon the Discovery communicate to them, touching the Murder of the *Glenco-Men* in February 1692.

WE your Majesty's most Loyal and Dutiful Subjects, the Noble Men, Barons and Burroughs assembled in Parliament, do humbly represent to your Majesty, That in the beginning of this Session, we thought it our Duty, for the more solemn and publick Vindication of the Honour and Justice of the Government, to enquire into the barbarous Slaughter committed in *Glenco*, Feb. 1692. which hath made so much noise both in this Kingdom and your Majesty's other Dominions; but we being inform'd by your Majesty's Commissioner, That we were prevented in this Matter by a Commission under the Great Seal for the same purpose: We did, upon the reading of the said Commission, unanimously acquiesce to your Majesty's Pleasure, and return'd our humble Acknowledgments for your Royal Care in granting the same, and we only desired that the Discoveries to be made should be communicated to us, to the end, that we might add our Zeal to your Majesty's for prosecuting such Discoveries, and that in so National a Concern, the Vindication might be also publick as the Reproach and Scandal had been, and principally that we, for whom it was most proper, might testifie to the World, how clear your Majesty's Justice is in all this Matter.

And now your Majesty's Commissioner, upon our repeated Instances, communicated to us a Copy of the Report transmitted by the Commission to your Majesty, with your Majesty's Instructions, the Master of Stair's Letters, the Orders given by the Officers, and the Depositions of the Witnesses relating to that Report, and the same being read and compared, we could not but unanimously declare, That your Majesty's Instructions of the 7th and 16th of January 1692, touching the Highlanders who had not accepted in due time of the Benefit of the Indemnity, did contain a Warrant for Mercy to all without exception, who should offer to take the Oath of Allegiance, and come in upon Mercy, tho' the 1st of January 1692, prefix'd by the Proclamation of Indemnity was past, and that these Instructions contain no Warrant for the Execution of the *Glenco-men* made in Feb. thereafter; and here we cannot but acknowledge your Majesty's Signal Clemency upon this Occasion, as well as in the whole Tract of your Government over us; for had your Majesty, without new Offers of Mercy, given positive Orders for the executing the Law upon the Highlanders, that had already despis'd your repeated Indemnities, they had but met with what they justly deserved.

But it being your Majesty's Mind, according to your usual Clemency, still to offer them Mercy, and the Killing of the *Glenco-men* being upon that Account unwarrantable as well as the manner of doing it being barbarous and inhumane, we proceeded to vote the killing of them a Murder, and to enquire who had given occasion to it, and were the Actors in it.

We found in the first place that the Master of Stairs his Letters, had exceeded your Majesty's Instructions towards the Killing and Destruction of the *Glenco-men*; this appeared by the comparing the Instructions and Letters, whereof the just attested Duplicates are herewith transmitted; in which Letters the *Glenco-men* are over and again distinguished from the rest of the Highlanders, not as the fittest Subject of Severity, in case they continued obstinate, and made Severity necessary according to the Meaning of the Instructions; but as Men absolutely and positively ordered to be destroyed, without any further Consideration, than that of their not having taken the Indemnity in due time, and their not having taken it, is valued as a happy Incident, since it afforded

an Opportunity to destroy them, and the destroying of them is urged with a great deal of Zeal, as a thing acceptable and of publick Use, and this Zeal is extended, even to the giving of directions about the manner of cutting them off; from all which it is plain, that tho' the Instructions be for Mercy to assist all that will submit, tho' the Day of Indemnity was elapsed, yet the Letters do exclude the Glenco-men from this Mercy.

In the next place we examined the Orders given by Sir Thomas Livingston in this Matter, and were unanimously of Opinion that he had reason to give such Orders for cutting off the Glenco-men, upon the Supposition that they had rejected the Indemnity, and without making them new Offers of Mercy, being a thing in it self Lawful, which your Majesty might have ordered; But it appearing that Sir Thomas was then ignorant of the peculiar Circumstances of the Glenco-men, he might very well understand your Majesty's Instructions in the restricted Sense, which the Master of Stair's Letters had given them, or understand the Master of Stair's Letters to be your Majesty's Additional Pleasure, as it is evident he did by the Orders which he gave, where any Addition that is to be found in them, to your Majesty's Instructions, as is given, not only in the Master of Stairs his Sense, but in Words.

We proceeded to examine Colonel Hill's Part of the Business, and were unanimous that he was clear and free of the Slaughter of the Glenco-men; for tho' your Majesty's Instructions and the Master of Stairs his Letters were sent straight from London to him, as well as to Sir Thomas Livingston, yet he knowing the peculiar Circumstances of the Glenco-men shunned to execute them, and gave no Orders in the Matter, till such time as knowing that his Lieutenant-Colonel had received Orders to take with him 400 Men of his Garison and Regiment; he, to save his own Honour and Authority, gave a general Order to Hamilton, his Lieutenant-Colonel, to take the 400 Men and to put to due Execution the Orders which others had given him.

Lieutenant-Colonel Hamilton's Part came next to be considered, and he being required to be present, and called, and not appearing; we ordered him to be denounced, and to be seiz'd on wherever he could be found; and having considered the Orders that he received, and the Orders which he said before the Commission he gave, and his share in the Execution, we agreed that from what appeared, he was not clear of the Murder of the Glenco-men, and that there was ground to prosecute him for it.

Major Duncanson, who received Orders from Hamilton, being in Flanders, as well as those to whom he gave Orders, we could not see these Orders, and therefore we only resolv'd about him, that we should address to your Majesty, either to cause him be examined there in Flanders about the Orders he received, and his knowledge of that Affair, or to order him home to be prosecuted therefore, as your Majesty shall think fit.

In the last place the Depositions of the Witnesses being clear, as to the share which Captain Campbel of Glenlyon, Capt. Drummond, Lieutenant Lindlay, Ensign Lundie, and Sergeant Barber had in the Execution of the Glenco-men, upon whom they were quartered, we agreed that it appeared that the said Persons were the Actors in the Slaughter of the Glenco-men under trust, and that we should address your Majesty to send them home to be prosecuted for the same according to Law.

This being the State of that whole Matter as it lies before us, and which, together with the Report transmitted to your Majesty by the Commissioner (and which we saw verified) gives full light to it. We humbly beg, that considering that the Master of Stairs Excess in his Letters against the Glenco-men has been the Original Cause of this unhappy Business, and hath given occasion in a great measure to so extraordinary an Execution by the warm Directions he gives about doing it by way of surprize, and considering the Station and Trust he is in, and that he is absent, we do therefore beg, that your Majesty will give such Orders, about him for Vindication of your Government as you in your Royal Wisdom shall think fit. And

And likewise considering that the Actors have barbarously killed Men under trust, we humbly desire your Majesty would be pleased to send the Actors home, and to give Orders to your Advocate to prosecute them according to Law; there remaining nothing else to be done for the full Vindication of your Government of so foul and scandalous an Asperson, as it has lain under upon this Occasion.

We shall only add, that the remains of the Glenco-men, who escaped the Slaughter, being reduc'd to great Poverty by the Depredation and Vastation that was then committed upon them, and having ever since liv'd peaceably under your Majesty's Protection, have now applied to us that we might interceed with your Majesty, that some Reparation may be made them for their Losses. We do humbly lay their Case before your Majesty, as worthy of your Royal Charity and Compassion, that such Orders may be given for supplying them in their Necessities, as your Majesty shall think fit.

And this the most humble Address of the Estates of Parliament is, by their Order and Warrant, and in their Name, subscribed by

May it please Your Majesty,

Your Majesty's most Humble, most Obedient

and most Faithful Subject and Servant

July 10. 1695. This Address voted and approved.

Anandale, P. P.

Then it was recommended to his Majesty's Commissioner, to transmit to the King the said Address, with Duplicats of the King's Instructions, and of the Master of Stair's Letters.

Moved, That his Majesty's Commissioner have the Thanks of the Parliament for laying the Discovery made of the Matter of Glenco before them, and that the Commissioners have the like for their careful Procedure therein; which being put to the vote, approve or not, Carried in the Affirmative, *Nemine Contradicente*; which his Majesty's Commissioner accepted of.

It is said that some of the Persons did get a Remission from King William, concerning which it is to be observed first, That the taking of a Remission is a tacite acknowledging of the Crime, and taking upon them the Guilt; Next, that any such Remission is null and void, and will not defend them, because it did not proceed upon Letters of *Slains*, * nor is there any *Affithment* † made to the nearest of Kin. It being expressly provided by the 136 Act, Par. 8. Jac. the 6th, That Remissions are null, unless the Party be *Affithed*, ‖ and by 157 Act, Par. 12. Jac. 6. And it is farther to be observed from that Act, That albeit, Respites and Remissions had been formerly granted for several enormous Crimes, yet the Defendants were ordained to be criminally persued, notwithstanding of the same;

* i. e. Witnessing that the Party wronged has received Satisfaction.

† Satisfaction.

‖ Satisfy'd.

and the said Act is ratified by the 173 Act, Par. 13. Jac. the 6th against the granting of Remissions and Respites to the Committers of Murder, Slaughter, and other atrocious Crimes therein mentioned, where there is not sufficient Letters of *Slains* shewen; and that no Respite or Remission be admitted in Judgment, except the same be compounded with the Treasurer, and subscribed by him, at least past his Register: And Act 178, it is provided that no Respite or Remission be granted for Slaughter, until the Party * *skaished* be first satisfied; and if any Respite or Remission shall happen to be granted before the Party grieved be first satisfied, the same shall be null by way of Exception, or reply without any further Declarator.

Thirdly, It is to be observed, That the Parliament having declared, that the Killing of the *Glenco-men* was a Murder under Trust; it is clear by the 51 Act, Par. 11, Jac. 6. That Murder and Slaughter of a Person under Trust, Credit, Assurance and Power of the Slayer, is Treason; so that by the said Act, these that had accession to, or were any ways † *airt and part* of the Slaughter of the *Glenco-men*, are guilty of Treason.

P. S. Sir, I have nothing further to add concerning this Matter, but that I thought it needless to trouble you with the Copies of the King's Orders, the (now Viscount) of *Stair's* Letters, and the Depositions, because every thing in them that is probative of the Point in Question is fairly narrated in the Report of the Commission; but if you think them necessary, I will send them to you upon Notice: But for my part, I don't think them necessary to be inserted, for repeating things needlessly does but weary the Reader.

You know that there never was any Prosecution against any of those Persons charg'd with this barbarous Murder, but that on the contrary, by the Advice of some, who were then about his Majesty, several of the Officers were prefer'd, and the whole Matter flurr'd over; so that the crying Guilt of this Blood must lie upon them, and not upon the Nation, since the Parliament could do no more in it without occasioning greater Blood-shed than that they complain of.

You know likewise that by the Influence of the same Persons this Report was suppressed in K. W.'s Time, tho' his Majesty's Honour requir'd that it should have been publish'd.

* *Damag'd.*

† *Concern'd in.*

E I N I S.

